

JUN 26 1996

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE

DEPT. OF INSURANCE  
BY Kathy Linder

In the Matter of: ) Docket No. 96A-069-INS  
TED TURCZYNOWSKY )  
Respondent. ) ORDER  
\_\_\_\_\_ )

On June 24, 1996, the Office of Administrative Hearings, through Administrative Law Judge Lewis D. Kowal, submitted "Recommended Decision of Administrative Law Judge", a copy of which is attached and incorporated by this reference. The Director of the Arizona Department of Insurance has reviewed the recommendation, and enters the following order:

1. The recommended findings of fact and conclusions of law are adopted.

2. All insurance licenses held by Respondent are revoked effective upon the issuance of the Director's Order.

3. The Respondent will pay restitution as set forth below within 60 days of entry of the Director's Order and will provide proof of such payments to the Department at the end of that 60 day period:

a) Pay restitution to Charlie Estrella in the amount of \$298.84.


b) Pay restitution to Doris Meadows in the amount of \$195.32.

NOTIFICATION OF RIGHTS

The aggrieved party may request a rehearing with respect to this Order by filing a written petition with the Office of Administrative Hearings within 30 days of the date of this Order, setting forth the basis for such relief pursuant to A.A.C. R20-6-114(B).

The final decision of the Director may be appealed to the Superior Court of Maricopa County for judicial review pursuant to A.R.S. §20-166.

EFFECTIVE this 25<sup>th</sup> day of June, 1996

  
Chris Herstam  
Director of Insurance

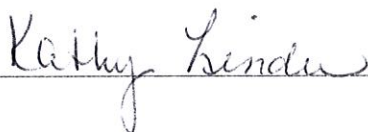
A copy of the foregoing  
mailed this 26<sup>th</sup> day of  
June, 1996

Charles R. Cohen, Deputy Director  
Gregory Y. Harris, Executive Assistant Director  
John Gagne, Assistant Director  
Maureen Catalioto, Supervisor  
Arnie Sniegowski, Investigator  
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14015 N. 94th St., #1071  
Scottsdale, AZ 85260



IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of

TED TURCZYNOWSKY

Respondent

No. 96A-069-INS

RECOMMENDED DECISION  
OF ADMINISTRATIVE  
LAW JUDGE

ADMINISTRATIVE LAW JUDGE: Lewis D. Kowal

On May 16, 1996, the Director issued a Notice of Hearing (the "Notice") in the above-captioned matter.

The Notice required Respondent to provide a written answer to the allegations set forth in the Notice within twenty days of the issuance of the Notice. As of this date, Respondent has failed to file an answer. On May 17, 1996, counsel for the Department filed a Request for Default Order and Notice of Filing Form of Order. As of this date, Respondent has not answered the Department's request. Pursuant to A.A.C. R20-6-106(C), a party who fails to answer within the time provided shall be deemed to be in default and the allegations in the Notice of Hearing may be deemed to be admitted.

FINDINGS OF

1. Notice was proper.
2. Respondent is in default.
3. The allegations in the Notice are deemed admitted.
4. There having been no objection filed by Respondent regarding the amount of restitution recommended by the Department's counsel in the Proposed Findings of Fact, Conclusions of Law and Proposed Order submitted to the Administrative Law Judge and mailed to Respondent, it is determined that Respondent has acquiesced to the Department's proposed restitution.

Office of Administrative Hearings  
1700 West Washington, Suite 602  
Phoenix, Arizona 85007  
(602) 542-9826



**CONCLUSIONS OF LAW**

1. The conduct alleged in the Notice constitutes grounds for the Director to suspend, revoke or refuse to renew the licenses to transact insurance in Arizona, within the meaning of A.R.S. §20-316(A).

2. The conduct alleged in the Notice constitutes grounds for the Director to impose a civil penalty pursuant to A.R.S. §20-316(C).

**RECOMMENDED ORDER**

Based on the above, the undersigned Administrative Law Judge recommends that:

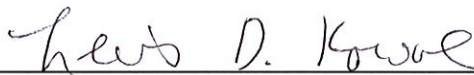
1. All insurance licenses held by Respondent are revoked effective upon the issuance of the Director's Order.

2. Respondent pay restitution as set forth below within 60 days of entry of the Director's Order and provide proof of such payments to the Department at the end of that 60 day period:

a) Pay restitution to Charlie Estrella in the amount of \$298.84.

b) Pay restitution to Doris Meadows in the amount of \$ 195.32.

Done this day, June 24, 1996

  
\_\_\_\_\_  
Lewis D. Kowal  
Administrative Law Judge

Copy transmitted by mail *June 24, 1996*  
by *Ardo J. Richard*; to:

Chris Herstam  
Director  
Department of Insurance  
2910 North 44th Street, 210  
Phoenix, AZ 85018-7256